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# Public Notice

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**Applicant:**  
City of Independence

**Date:**  
Published: February 27, 2002  
Expires: March 28, 2002

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-CO-R RE: 2002-00151(0) Section: OH 404**

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Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344).

REVISED PROJECT PROPOSAL

Mr. Donald Elewski, P.E., on behalf of the City of Independence, 7311 Valley View Drive, Independence, Ohio 44131, has revised their application for a Department of the Army permit for authorization to work and place fill in waters of the United States in connection with the construction of the proposed Oak Tree Boulevard Extension.

The project is located north of Rockside Road, north of existing Oak Tree Boulevard, City of Independence, Cuyahoga County, Ohio.

Department of the Army authorization is required to place 700 feet of box culvert, culvert pipe, and fill material in 850 linear feet of an unnamed tributary to West Creek. Authorization is also required for new fill associated with the replacement of the concrete box culvert under Rockside Road and the temporary dewatering of the unnamed tributary to accomplish the project.

The project will consist of the following activities:

1. The replacement of an existing 8 foot by 4 foot concrete box culvert under Rockside Road with 130 feet of 10-foot by 5-foot box culvert.
2. The construction of approximately 3,020 feet of roadway (length of Oak Tree Boulevard extension is 1,900 feet and length of Frontage Road 'C' is 1,120 feet). This includes the placement of 205 feet of 10-foot by 5-foot concrete box culvert, 495 feet of 66-inch culvert pipe, and associated grading materials in to the unnamed tributary to West Creek. Total proposed stream impact is 850 linear feet of stream.

**Project History:**

The project's minimal degradative alternative was Public Noticed November 1, 2001. Because of safety concerns associated with the design of that proposal, the City requested that the Corps review the Preferred Alternative which is identified in this notice.

The applicant's stated purpose of the project is: (1) to reduce traffic volume on Rockside Road, (2) provide alternative routes for emergency vehicle access, and (3) reduce points of access to Rockside Road to traffic controlled intersections.

As mitigation for the unavoidable loss of 850 linear feet of

stream, the applicant proposes the purchase of 1,275 feet of stream channel credits at a regional stream mitigation bank. The proposed mitigation meets the acceptable compensatory amount (a replacement ratio of 1.5:1) as required by Ohio Water Quality Standards Rule 3745-1-54(5)(b).

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mark T. Lesinski, who can be contacted by calling (440) 437-5840, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076, and should be marked to the attention of Mark T. Lesinski, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use,

navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



Rockside Road →

I-480

I-77

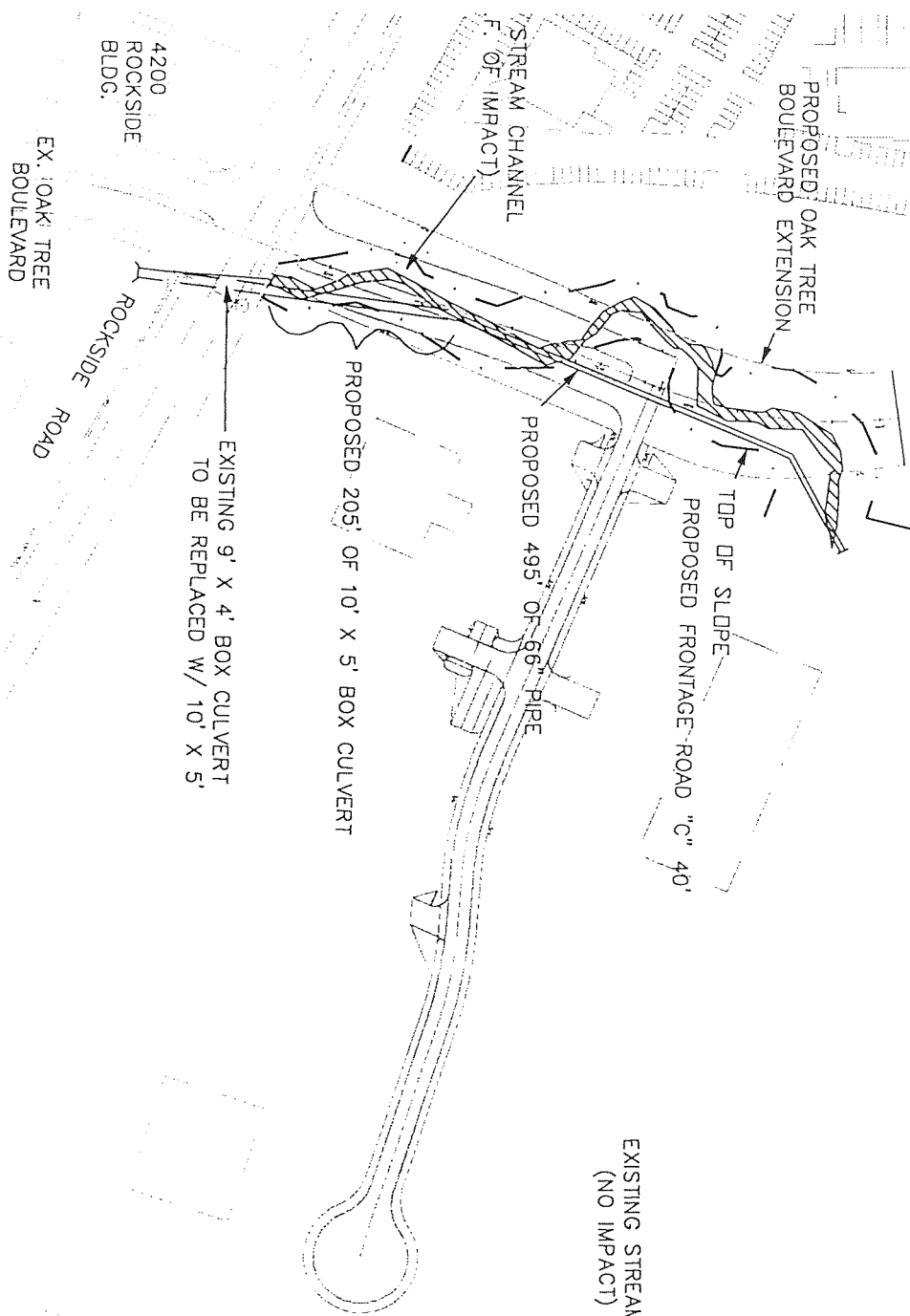
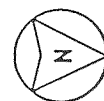


QUADRANGLE LOCATION

CLEVELAND SOUTH QUADRANGLE  
OHIO - CUYAHOCA  
7.5 MINUTE SERIES (TOPOGRAPHIC)

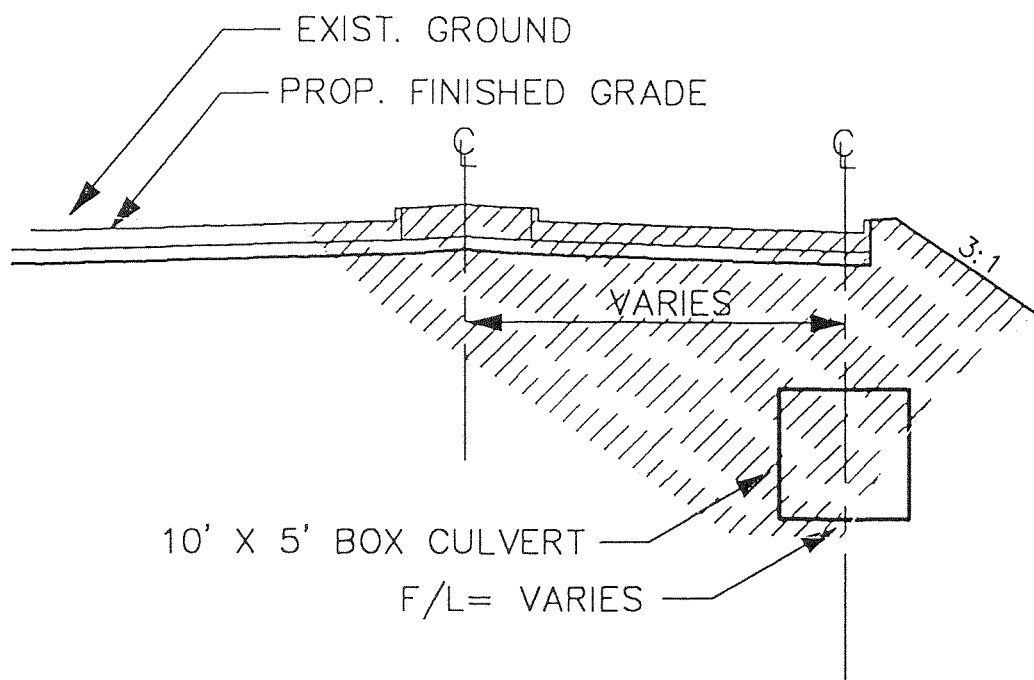
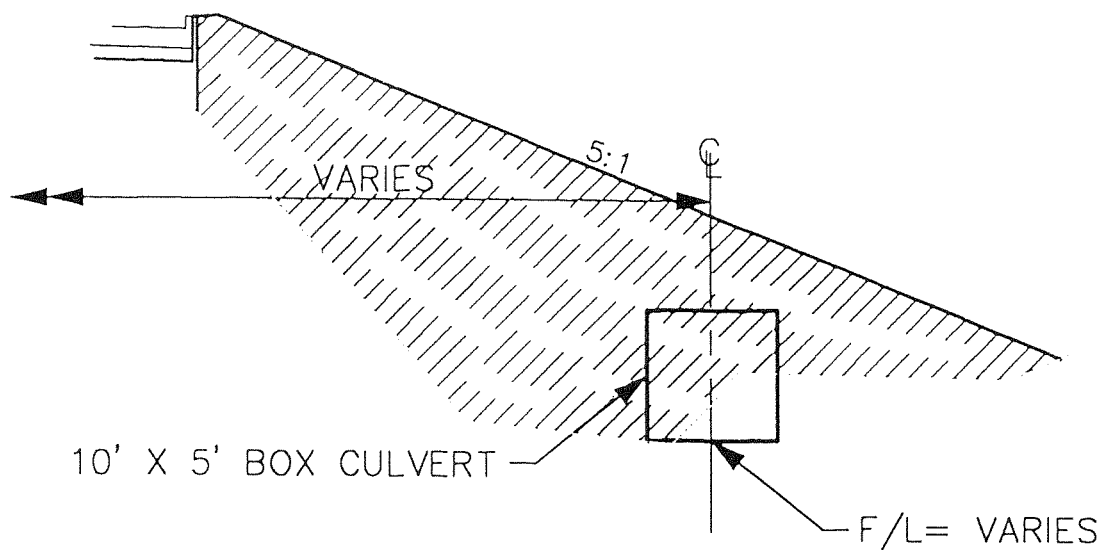
INDEPENDENCE, CITY OF  
D/A Processing No. 2002-00151(0)  
Cuyahoga County, Ohio Quad: CLEVELAND  
SOUTH  
Sheet 1 of 3

INDEPENDENCE, CITY OF  
 D/A Processing No. 2002-00151(0)  
 Cuyahoga County, Ohio Quad: CLEVELAND  
 SOUTH  
 Sheet 2 of 3



PREFERRED DESIGN ALTERNATIVE

N.T.S.



INDEPENDENCE, CITY OF  
 D/A Processing No. 2002-00151(0)  
 Cuyahoga County, Ohio Quad: CLEVELAND  
 SOUTH  
 Sheet 3 of 3

# TYPICAL CROSS SECTIONS PREFERRED DESIGN ALTERNATIVE

CHAGRIN VALLEY  
 ENGINEERING, LTD.

PROJECT: OAK TREE BLVD.  
 EXTENSION NORTH

LOCATION: INDEPENDENCE, OHIO

